

Michael E. Eller
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Petitioner, in pro-se'

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL E. ELLER,)
Petitioner;)
)
V.)
)
LUIS SPENCER,)
SUPERINTENDENT)
Respondent;)

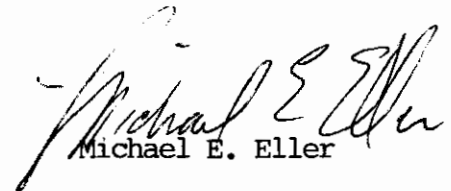
CIVIL ACTION NO. 05-10740-DPW

NOTICE OF APPEAL

Petitioner, Michael E. Eller, appearing in pro per, hereby appeals from the judgment of the court dismissing his Petition for Writ of Habeas Corpus in the above entitled action. Said Judgment was entered on June 1, 2005, by Hon. Douglas P. Woodlock J.

Concurrently herewith, Petitioner requests that the District Court issue forth a Certificate of Appealability. An application for COA is being filed contemporaneously filed.

Dated; 7 day of June, 2005


Michael E. Eller

Petitioner, pro-se